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PATENT  
Customer No. 22,852  
Attorney Docket No. 08350-2676  
*10/22/04*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Kerry Alan DELVECHIO

Serial No.: 10/728,907

Filed: December 8, 2003

For: TURBOCHARGER ASSEMBLY  
AND METHOD

)  
)  
) Group Art Unit: 3746  
)  
) Examiner: Not Yet Assigned  
)  
) Confirmation No. 9306  
)  
)

**Attention: Licensing & Review**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RECEIVED**  
OCT 19 2004  
LICENSING & REVIEW

Sir:

**RESPONSE TO REQUEST FOR STATEMENT UNDER § 152 OF THE ATOMIC  
ENERGY ACT**

In response to the Request for Statement Under § 152 of the Atomic Energy Act  
mailed September 2, 2004, Applicants hereby enclose a signed Statement.

Please grant any extensions of time required to enter this Statement and charge  
any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: October 18, 2004

By: *Ryan C. Stockett*  
Ryan C. Stockett  
Reg. No. 53,642

DECLARATION UNDER 37 C.F.R § 1.68

We, Kerry Alan DelVecchio, Paul William Reisdorf, Ulrich Hopmann, and Frank George Gerke declare:

That we made and conceived the invention described and claimed in Patent Application No.: 10/728,907 filed in the United States of America on December 8, 2003 titled **TURBOCHARGER ASSEMBLY AND METHOD**;

- OK w/ ~~changes~~ 1st page 2 spec.*
- ☒ That we made and conceived this invention while employed by Caterpillar Inc.; That the invention is related to the work we are employed to perform and was made within the scope of our employment duties; That the invention was made during working hours and with the use of facilities, equipment, materials, funds, information and services of Caterpillar Inc.;
  - ☐ That we made and conceived this invention on our own time using only our own facilities, equipment, materials, funds, information, and services;
  - ☐ That to the best of our knowledge and belief, the invention was not made or conceived in the course of, or in connection with, or under the terms of any contract, subcontract or arrangement entered into with or for the benefit of the United States Atomic Energy Commission or its successors: Energy Research and Development Administration or the Department of Energy.
  - ☒ That to the best of our knowledge and belief, the invention was not made (conceived or first actually reduced to practice) under nor is there any relationship of the invention to the performance of any work under any contract of the National Aeronautics and Space Administration.

The undersigned inventors declare further that all statements made herein of their own knowledge are true and that all statements made on information and belief are believed to be true and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

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